

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY ufc D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA
upon the relation and
for the use of the
TENNESSEE VALLEY AUTHORITY
Plaintiff

v.

Civil Action No. 05-2200-B-P

EASEMENTS AND RIGHTS-OF-WAY
OVER A TOTAL OF 11.36 ACRES OF
LAND, MORE OR LESS, IN FAYETTE
COUNTY, TENNESSEE

ERNEST B. WILLIAMS, III, ET AL.

Defendants

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following
dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(A)(1)): June 30, 2005

JOINING PARTIES: September 7, 2005

AMENDING PLEADINGS: September 7, 2005

COMPLETING ALL DISCOVERY: March 7, 2006

(a) **DEPOSITIONS, INTERROGATORIES
and REQUESTS FOR ADMISSIONS:** March 7, 2006

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 7-6-05

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(b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**

(i) Plaintiff's Experts: December 7, 2005

(ii) Defendants' Experts: November 7, 2005

(iii) Supplementation under Rule 26(e): December 22, 2005

(c) **DEPOSITIONS OF EXPERTS:** March 7, 2006

FILING DISPOSITIVE MOTIONS: March 13, 2006

OTHER RELEVANT MATTERS:

Plaintiff expects to file by July 29, 2005, a motion with a supporting brief with respect to objections made by some of the Defendants to the taking in this action.

The discovery requests that were mailed by counsel for some of the Defendants to Plaintiff prior to the date set for the scheduling conference in this action shall be deemed to have been handed to Plaintiff on July 7, 2005. The parties shall have 45 days to respond to all written discovery requests in this action.

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last three days. The pretrial order date, pretrial conference date, and trial date will be set by the District Judge.

This case does not currently appear to be appropriate for ADR. The parties may consider engaging a court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a) (1) (A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the Magistrate Judge.

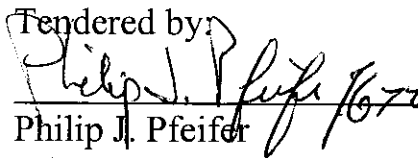
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

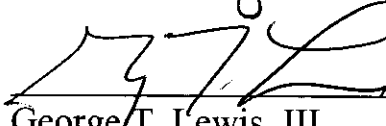


TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

Date: July 5, 2005

Tendered by:


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Williams, Jr.; Anne Williams Dunn; Second
Presbyterian Church of Memphis, Tennessee;
Metropolitan InterFaith Association; and
Chickasaw Council, Boy Scouts of America



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:05-CV-02200 was distributed by fax, mail, or direct printing on July 6, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT